

**AMENDMENTS****Amendments to the Claims:**

Please replace the claims with the following listing of claims.

1. (Currently Amended) A method for performing free space collection in an information storage system having storage units in which information segments are located, the method comprising the steps of:

determining a fitness value for at least some of the segments by determining the product of the amount of free space in the segment and the expected time the free space will last, the fitness value determined by the equation:

$$\text{Fitness} = \frac{\text{Segment age} \times \text{Free space}^2}{\text{Used space}}$$

wherein segment age is the interval between a current time and a time at which the data in the segment was last written, the segment age measured in one of real time, number of write transactions, number of segments written or destage sequence number, the segment age comprising one of a write interval for the segment, an average, maximum or minimum of the ages of the data in the segment; and

choosing segments for free space collection with the maximum fitness values.

2. (Original) A method as claimed in claim 1, wherein the expected time the free space in a given segment will last is estimated by the rate of use of still-in-use data in the segment.

- 3-6. (Canceled).

7. (Original) A method as claimed in claim 1, wherein a fitness value is determined for one of each of a group of sorted segments.
8. (Original) A method as claimed in claim 7, wherein the segments are sorted by the amount of used data in each segment, each group of segments having a given range of amount of used data.
9. (Original) A method as claimed in claim 8, wherein all full segments are sorted into one group and the remaining groups have equal ranges of amounts of used data.
10. (Original) A method as claimed in claim 7, wherein the segments are listed within each group in a first-in first-out list and the fitness value is determined for the segment at the head of the list.
11. (Original) A method as claimed in claim 7, wherein the segments are sorted within each group by the time at which the data in the segment was last written or by a destage sequence number and the fitness value is determined for the segment with the greatest age in each group.
12. (Original) A method as claimed in claim 11, wherein the segments are sorted by a tree data structure.
13. (Original) A method as claimed in claim 1, wherein the method is used in a log structured information storage system.
14. (Currently Amended) An information storage system comprising:  
a storage controller; and  
storage units in which information segments are located;  
the storage controller including:

means for determining a fitness value for a number of segments by determining the product of the amount of free space in each segment and the expected time the free space will last, the fitness value determined by the equation:

$$\text{Fitness} = \frac{\text{Segment age} \times \text{Free space}^2}{\text{Used space}}$$

wherein segment age is the interval between a current time and a time at which the data in the segment was last written, the segment age measured in one of real time, number of write transactions, number of segments written, or destage sequence number, the segment age comprising one of a write interval for the segment, an average, maximum or minimum of the ages of the data in the segment; and

means for choosing segments with the maximum fitness values, the chosen segments being used for free space collection.

15. (Original) An information storage system as claimed in claim 14, wherein a means for determining the expected time the free space in a given segment will last is estimated by the rate of use of still-in-use data in the segment.

16-17. (Canceled).

18. (Original) An information storage system as claimed in claim 14, wherein the segments are sorted into groups and the means for determining a fitness value is applied to one segment from each group.

19. (Original) An information storage system as claimed in claim 18, wherein the segments are sorted by the amount of used data in each segment, each group of segments having a given range of amount of used data.

20. (Original) An information storage system as claimed in claim 19, wherein all full segments are sorted into one group and the remaining groups have equal ranges of amounts of used data.
21. (Original) An information storage system as claimed in claim 18, wherein a first-in first-out list is provided within each group to list the segments and the fitness value is determined for the segment at the head of the list.
22. (Original) An information storage system as claimed in claim 18, wherein the segments are sorted within each group by the time at which the data in the segment was last written or by a destage sequence number.
23. (Original) An information storage system as claimed in claim 22, wherein a tree data structure is provided for sorting the segments.
24. (Original) An information storage system as claimed in claim 14, wherein the information storage system is a log structured storage system.
25. (Original) An information storage system as claimed in claim 14, wherein the storage system is a log structured file system.
26. (Original) An information storage system as claimed in claim 14, wherein the information storage system is an external storage system and is a log structured array.
27. (Currently Amended) An information storage system comprising:  
a storage controller; and  
storage units in which information segments are located, the storage controller performs a free space collection process by performing the steps of:  
determining a fitness value for at least some of the segments by determining the product

of the amount of free space in the segment and the expected time the free space will last, the fitness value determined by the equation:

$$\text{Fitness} = \frac{\text{Segment age} \times \text{Free space}^2}{\text{Used space}}$$

wherein segment age is the interval between a current time and a time at which the data in the segment was last written, the segment age measured in one of real time, number of write transactions, number of segments written, or destage sequence number, the segment age comprising one of a write interval for the segment, an average, maximum or minimum of the ages of the data in the segment; and

choosing segments for free space collection with the maximum fitness values.